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October 24

Charles R. Cunningham, Director
State Veterans Council
66 South Street
Concord, New Hampshire

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OCT 01 1998

CONCORD, N.H.

Dear Mr. Cunningham:

Your letter of October 9th requests whether the State Veterans Council can apply for reimbursement for Social Security burial benefits where the State has granted assistance under the provisions of RSA 165:16.

RSA 165:16 provides in essence, where it is certified that a veteran did not leave sufficient estate to pay for a funeral (not to exceed \$400), that your Council is authorized to grant a sum not exceeding \$100 to defray such burial expenses. Where this has been done, and the veteran was entitled to Social Security benefits, you may apply under section 404.340 of the Code of Federal Regulations, which provides for lump sum death payments to persons or a State who have incurred expenses in paying for the deceased's funeral and are thus equitably entitled to reimbursement.

Sincerely yours,

William J. Deachman
Assistant Attorney General

WJD/lt